



ZONING BOARD OF APPEALS

Clifford J. Hurgin Municipal Center
1 School Street, Bethel, Connecticut 06801 *(203) 794-8578

ZONING BOARD OF APPEALS MEETING MINUTES March 15th, 2016 – BETHEL MUNICIPAL CENTER 6:00 P.M. – MEETING ROOM D

COMMISSION MEMBERS PRESENT : R. Lawlor, Chairman; J. Streaman; M. Ryan; R. Merritt; J. Kelley

ABSENT: S. Dolan.

R. Lawlor called the meeting to order at 6:01 p.m. and read the Legal Notice.

PUBLIC HEARING:

16-01: TD & Sons, Inc., 23 Payne Road For a Variance of Sec. 3.2.C.2 of the Zoning Regulations to create a rear lot in an R-20 Zone.

Chairman Lawlor read the Staff Report, dated March 15, 2016, from Steven Palmer, Planning & Zoning Director, into the record.

Present for the applicant was Doug DiVesta, Civil Engineering Associates, Inc. Mr. DiVesta handed in the mailing notifications for adjacent neighbors and distributed a revised site plan, dated 3/14/16.

The applicant requested a variance to permit a rear lot on property located in the residential R-20 Zone, where they are not allowed. The property consists of 2.42 acres, which was part of a free split that created a separate .71 acre parcel with an existing single family dwelling.

According to the Zoning Regulations, the minimum lot frontage on the R-20 Zone is 100 feet. The 2.42 acre parcel has 262 feet, but a large portion of the lot is in the back of the property. The existing frontage would allow for 2 additional lots, however, the applicant has submitted a conceptual subdivision plan that would create a new cul de sac road creating additional street frontage for an additional third lot. All indications are that the conceptual plan would meet the subdivision requirements.

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TOWN OF BETHEL
TOWN CLERK

The applicant's intention is to not construct the road and all improvements associated with it including stormwater facilities and new sewer and water lines. It should be noted that the road and improvements, once complete, would become Town owned and be maintained in perpetuity by the Town. This proposed plan would alleviate the Town of the future financial obligation of maintaining a road and infrastructure. It would also allow two additional frontage lots on Payne Road, which is consistent with the character of the surrounding neighborhood, rather than a cul de sac design. The rear lot would be accessed by an existing driveway with the required 25 foot width deeded accessway to an oversized rear lot of 1.34 acres in area. But for not being allowed in the R-20 Zone, this rear lot meets all the criteria that would be required of rear lots allowed in other zones.

The Applicant stated a hardship due to the topography of the lots.
Those who spoke in favor of the Application:

Robin Kahn & George Johnson	3 Brookview Court
Ralph LoBalbo	5 Brookview Court

Chairman Lawlor closed the Public Hearing.

WORK SESSION:

Rich Merritt was seated for Sue Dolan.

16-01: TD & Sons, Inc., 23 Payne Road For a Variance of Sec. 3.2.C.2 of the Zoning Regulations to create a rear lot in an R-20 Zone.

Motion by J. Kelley, seconded by J. Streaman, to GRANT a variance of Sec. 3.2.C.2 of the Zoning Regulations to create a rear lot in an R-20 Zone, as submitted on site plan prepared for TD & Sons, Inc, 17 & 23 Payne Road, Bethel, CT by DiVesta Civil Engineering Associates, Inc., dated 12/28/15 rev. 3/14//16, subject to compliance with the revised plan dated 3/14/16.

The Board recognized a hardship is caused due to the topography of the property.
Motion Approved Unanimously.

MINUTES:

Motion by J. Kelley, seconded by R. Merritt, to accept the Minutes of the January 19, 2016 meeting. Motion Approved unanimously.

INVOICES:

Motion by M. Ryan, seconded by J. Streaman, to approve payment of the Connecticut Federation of Planning & Zoning Agencies invoice, dated March 1, 2016, in the amount of \$110.00 and to approve payment of the Connecticut Media Group invoice, dated February 5, 2016, in the amount of \$143.44. Motion Approved unanimously

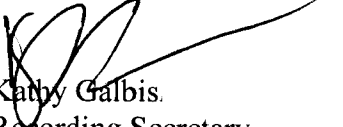
NEW BUSINESS:

16-02: DeLuca, 37 Maple Avenue

Motion by J. Streaman, seconded by J. Kelley, to accept 37 Maple Avenue and set a Public Hearing date for April 19th, 2016
Motion Approved unanimously

Motion by J. Kelley, seconded by J. Streaman, to adjourn at 6:33 p.m.
Motion Approved unanimously

Respectfully Submitted,



Kathy Galbis.
Recording Secretary